

July 27, 2015



U.S. Department
of Transportation



Texas Division of Emergency Management

U.S. Department of Transportation

Hazardous Materials Emergency Preparedness (HMEP)

Grant Application & Planning Guide for Local Emergency Planning Committees FY2016

**Texas Division of Emergency Management
Hazardous Materials Emergency Preparedness
Ben Patterson
1033 La Posada, Suite 250
Austin, TX 78753**

TEXAS DEPARTMENT OF PUBLIC SAFETY

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July 27, 2015

Dear Local Emergency Planning Committee Chairperson:

The Texas Division of Emergency Management (TDEM), representing the State Emergency Response Commission (SERC), is offering Hazardous Materials Emergency Preparedness Planning grants for Local Emergency Planning Committees (LEPCs) in Texas. Enclosed is an application package for the FY-2016 grants. Eligibility criteria and information concerning the grant are included in the accompanying application material.

New Federal legislation, *Moving Ahead for Progress in the 21st Century Act (MAP21)*, has increased the reporting requirements for the HMEP program. Please read the attached HMEP Grant Application & Planning Guide for Local Emergency Planning Committees FY2016 carefully for additional information.

The grants provide reimbursement costs incurred by LEPCs for conducting approved projects. Each LEPC is required to designate a county or city government official to serve as their fiscal agent. Further, each LEPC is required to provide matching support in the minimum amount of 20% of the total project cost. The match may be cash (hard) or in-kind (soft).

The deadline for Grant application submission is August 28, 2015. If you have any questions regarding this request for proposals, or if you need assistance, please contact the Section Administrator, Ben Patterson, at 512-424-2445.

Sincerely,

W. Nim Kidd, CEM ®
Chief
Texas Division of Emergency Management
Assistant Director
Texas Homeland Security
Texas Department of Public Safety

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Information - Important Information and Helpful Hints

The Federal Hazardous Materials Emergency Preparedness (HMEP) Grant - A Planning Grant Guide for Local Governments is located at Texas Division of Emergency Management's web site www.txdps.state.tx.us/dem. Potential applicants wanting more information can follow this procedure once they go to the primary website - Select Grants and Resources, and then U.S. DOT PHMSA HMEP Grant Program.

Applicant's projects must be HazMat and Transportation-related to qualify for this grant (no exceptions).

The HMEP Grant provides funds for Planning and Training. The point of contact for the FY16 application is Ben Patterson, and he can be reached at 512-424-2445.

New Federal legislation, *Moving Ahead for Progress in the 21st Century Act (MAP-21)*, has changed reporting requirements for the HMEP program and additional information will be collected from successful applicants. As of the date of publication for this grant guide, complete federal guidance regarding additional reporting requirements for the grant has not been released.

Any additional requirements will be incorporated into a revised quarterly report form and distributed to successful applicants as soon as is practicable. For more information on the implementation of *MAP-21* at the United States Department of Transportation (U.S. DOT) please visit the U.S. DOT's website at <http://www.dot.gov> ; for more information about how MAP-21 has impacted the HMEP program, please go to <http://dotphmsa.vividlms.com/faq.asp> for additional information.

TDEM contracts with the Texas Transportation Institute (TTI) at Texas A&M University to complete some HMEP Planning projects, including hazmat Commodity Flow Studies, Emergency Operations Plans (EOP) Reviews and conducting emergency response drills and exercises associated with emergency preparedness plans. Applicants are encouraged to contact TTI to discuss the possibility of utilizing their expertise on potential projects, but this is not a requirement of the grant.

Projects for which TTI will conduct the work should specify that in the application, and have project costs listed under Professional Services; the award will be made to the applying LEPC but the funds for the project will be disbursed directly to TTI for work done on behalf of the applicant. Applicants are welcome to carry out projects independently, or to seek out alternative professional services.

TTI Contact Information:

David H. Bierling, Ph.D.
Texas A&M Transportation Institute
2929 Research Parkway
3135 TAMU | College Station, TX 77843-3135
Tel 979.862.2710 | Fax 979.862.2708
www.tti.tamu.edu
Email: dhb@tamu.edu

U.S. DOT's federal fiscal year is from October 1, 2015 through September 30, 2016

Grant Guide Quick Reference:

- Appendix A – Application Forms for a new HMEP grant. Applications are due to the HMEP Grant Administrator by **August 28, 2015**.
- Appendix B –Reimbursement Form must be submitted within **seven (7) days** of the end of each quarter along with complete backup documentation as detailed in the instruction page accompanying the form in Appendix B.
- Appendix C – Quarterly Performance Report Form. The local government must submit these documents each quarter regardless of whether or not they have competed work during that period or are requesting reimbursement. These reports must be timely, and are due 7 days after the end of each quarter.
- Appendix D – Abbreviations and Acronyms.
- Appendix E – Proposal Evaluation Criteria Guide

Part One - Grant Overview

Purpose

The Federal Hazardous Material Law authorizes the United States Department of Transportation (USDOT), through the Pipeline and Hazardous Materials Safety Administration (PHMSA), to provide assistance to public sector employees through training and planning grants. The purpose of the Hazardous Materials Emergency Preparedness (HMEP) grant program is to:

- Increase effectiveness in safely and efficiently handling hazardous materials accidents and incidents.
- Enhance implementation of the Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA).
- Encourage a comprehensive approach to emergency training and planning by incorporating the unique challenges of responses to transportation situations.

This is a performance-based grant that builds on and supports accomplishments of long-term goals and objectives. For more information, please go to the PHMSA website at <http://www.phmsa.dot.gov/hazmat/grants>.

Performance Period

The performance period for this grant follows the federal fiscal year, which runs from October 1, 2015 through September 30, 2016. ***Costs incurred outside the performance period are not eligible under this grant.***

Matching Requirements

Grant recipients “The recipient agency must provide 20 percent of the direct and indirect costs of all activities covered under the grant award program with non-Federal funds. Recipients may either use cash (hard-match), in-kind (soft-match) contributions, or a combination of in-kind plus hard-match to meet this requirement. In-kind (soft-match) contributions are in addition to the maintenance of effort required of recipients of grant awards” [Title 49, Code of Federal Regulations, Part 110.60\(a\)](#).

EXAMPLE: If the total cost of an eligible project is \$25,000, the grant recipient is eligible to receive \$20,000 (\$25,000 x 80%) in HMEP grant federal funding; the balance of \$5,000 (\$25,000 x 20 %) is the grant recipient's non-federal (match) share, which is your share.

Types of cost sharing contributions allowed under this grant include, but are not limited to:

- Any funds from a state, local or other non-federal source used for an eligible activity as defined in [49 CFR 110.40](#).
- The dollar equivalent value of an eligible activity as defined in [49 CFR 110.40](#), provided by a state, local or other non-federal source.
- The value of participants' salary while attending a planning or training activity contained in the approved grant application provided by a state, local or other non-federal source.

NOTE: The following costs cannot be used for match:

- Funds used for matching purposes under any other federal grant or cooperative agreement.
- Funds expended by a recipient agency to qualify for the grant.
- Federal funding received through another program.
- Costs incurred outside of the grant performance period.

Please refer to [49 CFR 110.60](#), [49 CFR 18.24](#), and the [PHMSA HMEP Expenditures and Activities Guide](#) for more information

Definition of an LEPC

"Local Emergency Planning Committee (LEPC) means a committee appointed by the State Emergency Response Commission under section 301(c) of the Emergency Planning and Community Right-to-Know Act of 1986 ...that includes, at a minimum, representatives from each of the following groups or organizations: Elected State and local officials; law enforcement, firefighting, civil defense, first aid, health, local environmental, hospital, and transportation personnel; broadcast and print media; community groups; and owners and operators of facilities subject to the emergency planning requirements." [49 CFR 110.20](#)

Eligible Applicants for Planning Funds

Local governments are eligible to apply for this grant. Local governments are defined as:

"A county, municipality, city, town, township, local public authority...school district, special district, intrastate district, council of governments...any other regional or interstate government entity, or any agency or instrumentality of a local government." *Title 49, Code of Federal Regulations (CFR), Part 18.3*

NOTE: Federal regulations require that at least 75% of the planning award be distributed to the LEPCs, however, Texas LEPCs do not have the ability to receive and distribute grant funds. Since the regulation's intent is that LEPCs control the use of HMEP funds, grant applications must be approved by the LEPC before being forwarded to TDEM.

Planning Funds

Local governments will be sub-granted a minimum of 75% percent of the federal planning funds unless other arrangements are made.

Planning Expenditures

Authorized

HMEP planning funds may be used for the following purposes:

- Development, improvement, testing and implementation of emergency plans required under the EPCRA. Provides enhancement of emergency plans to include hazards analysis, as well as response procedures for emergencies involving transportation of hazardous materials, including radioactive materials.
- An assessment to determine the flow patterns of hazardous materials within the state, between states or Native American lands, and development and maintenance of a system to keep such information current. (Commodity Flow Study)
- An assessment of the need for regional hazardous materials emergency response teams.
- An assessment of local response capabilities.
- Conduct emergency response drills and exercises associated with emergency preparedness plans.
- Provision of technical staff to support the planning effort.
- Additional activities appropriate to implement the scope of work for the proposed project plan and approved in the grant. These activities must be approved by TDEM before initiated.

**Planning
Expenditures**

HMEP planning funds may NOT be used for the following purposes:

- No costs incurred before October 1 or after September 30, of the performance period of the Federal Fiscal Year.
- No equipment purchases (no exceptions)
- No salaries for participation in exercises (Personnel costs associated with designing the exercise may be allowable).
- No overtime wages or Call Backs.
- No food items (no exceptions)
- No software – with the exception of Computer-Aided Management of Emergency Operations (CAMEO)

**Recipient
Responsibilities**

Grant Recipient responsibilities include:

1. Complying with all assurances and certifications contained in the Grant Assurances form (see Appendix A).
 2. Preparing quarterly progress reports for the duration of the performance period. Further reporting details are included in Part Three – The Performance Period, under "Quarterly Progress Reports."
 3. Maintaining financial management systems that support grant activities in accordance with 49 CFR Parts 18.20 and 110.70.
 4. Requesting TDEM's prior approvals before initiating any grant activities that vary from the approved grant scope of work. Further details are included in Part Three - The Performance Period, under "Revision Requests".
 5. Notifying TDEM, in writing, within 30 days of the completion of all grant activities.
 6. Submitting the Final Grant Report and remit unexpended grant funds.
 7. Maintaining property, programmatic and financial records in accordance with the grant record retention requirements. Further details are contained in Part Three - The Performance Period, under "Record Retention Requirements."
 8. Complying with the audit requirements contained in Office of Management and Budget (OMB) Circular A-133, and 49 CFR Parts 18.26.
-

TDEM encourages the applicants to comply with the following laws, regulations and guidance documents that apply to this grant:

- 42 U.S.C. 11001, the Emergency Planning and Community Right-to-Know Act of 1986, Sections 301 and 303
<http://www.epa.gov/region5/defs/html/epcra.htm>
- Office of Management and Budget (OMB) Circulars A-87, A-102, A-133
www.whitehouse.gov/OMB/grants/index.html
- Title 49, Code of Federal Regulations (CFR)
<http://www.ecfr.gov> and search for Title 49 - Transportation

What is the purpose of the HMEP grant?

Federal Hazardous Material Law authorizes the U.S. Department of Transportation (DOT) to provide assistance to public sector employees through training and planning grants. The purpose of the HMEP grant program is to increase effectiveness in safely and efficiently handling hazardous materials accidents and incidents; enhance implementation of the Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA); and encourage a comprehensive approach to emergency training and planning by incorporating the unique challenges of responses to transportation situations. This is a performance-based grant that builds on and supports accomplishments of long-term goals and objectives.

Who decides how much funding Texas receives for the HMEP grant?

TDEM submits the HMEP Grant application to U.S. DOT on a yearly basis. The U.S. DOT sets the amount of funding for each state or territory and approves the amount of the award issued to the State of Texas. Amount of award received is determined by (1) number of 302 facilities filing in the state, (2) population, (3) highway miles within the state and other factors.

How is funding allocated?

Applicants submit proposed projects to TDEM on the application form included in this package as Appendix A. The State Emergency Response Committee (SERC) reviews the proposed projects and allocates available grant funds among the applicants. Preference is given to rural and small population jurisdictions, and those jurisdictions which have not received HMEP Planning funds in the last two years.

What is the final date for completed applications to be submitted for consideration and approval to the Grant Administrator?

August 28, 2015 is the final applications deadline to obtain grant funding. **All projects must reach TDEM by close of business on August 28, 2015, unless prior arrangements have been made with the Grant Administrator.**

What kinds of projects are funded?	Development, improvement, and implementation of emergency plans, as well as exercises that test the emergency plans, hazards analysis, response procedures for emergencies involving transportation of hazardous materials (including radioactive materials), needs assessment for regional hazardous materials emergency response teams, assessment of local response capabilities, conducting emergency response drills and exercises associated with emergency preparedness plans.
Are performance reports and invoicing required?	Yes. The HMEP grant is based on performance. Performance reports are a means in which TDEM has of ensuring that the projects are kept on schedule; and are within the parameters that TDEM approved; and to ensure that no problems with the project have surfaced. Project Managers are required to prepare and submit timely Reimbursement Request Forms and Quarterly Performance Reports (see deadlines below). Failure to comply will result in the cancellation of your project and grant.
When are the reports required to be submitted?	Performance Reports and Reimbursement Requests are required to be submitted by the 7 th calendar day following the end of each quarter. All approved projects must be invoiced quarterly by submitting a Reimbursement Request Form and the Quarterly Performance Report, no exceptions. Local governments are required to account for each of the four quarters, whether or not a reimbursement is requested that quarter.
When do we get reimbursed for our expenditures?	Once TDEM receives your Request for Reimbursement, it is processed through to our department's accounting office. Project Managers must ensure that invoices are added up correctly, that HMEP Share and Local Share are correct, and that substantiating documentation has been attached for all expenditures.
Who can we contact if we have questions?	Section Administrator: Ben Patterson at 512-424-2445.

HMEP Grant Timelines:

Application:

Due Date	Applications
July 27, 2015 FY16 Grant	Applications are available to the LEPCs.
August 28, 2015 FY16 Grant	LEPC Chairs submit approved application to TDEM. Applications received after this date <u>will not</u> be considered for project funding without prior approval.
September 17, 2015 FY16 Grant	TDEM completes application review process and then mails Interlocal Contracts to the approved grant recipients requesting signatures. Conditional Award notifications will be sent to grant recipients as soon as the application review process has been completed.
October 1, 2015 FY16 Grant Begins	Grant Performance Period begins. Approved projects with fully signed Interlocal Contracts can begin their projects.

Reporting and Reimbursement Request Deadlines (Plan for these cutoff dates)

Due Date	Quarterly Activity Reports and Reimbursement Requests
January 8, 2016	October 1 through December 31, 2015.
April 8, 2016	January 1 through March 31, 2016.
July 8, 2016	April 1 through June 30, 2016.
October 8, 2016 Grant Final Report Due	July 1 through September 30, 2016. The Final Grant Report must be submitted to TDEM.

Part Two - Planning Application Requirements and Process

Application Components

The application must include the following documents:

- Application Form
- Designation Statement
- Grant Project Narrative
- Work Schedule and Deliverables Form
- Budget Sheet in application
- Grant Assurances
- Jurisdiction Preparedness Profile¹

These forms can be found in Appendix A, with the exception of the Jurisdiction Preparedness Profile.

Designation Statement

The Designation Statement appoints agents authorized to execute any actions necessary under this grant. Local governments are required to file a signed Designation Statement with the HMEP application.

Grant Program Narrative

Complete the Project Narrative form provided in Appendix A. On the form, itemize the major project objectives and describe how the proposed activities will accomplish these objectives. The narrative must fully describe the proposed work and indicate major milestones. Please see Appendix E for the evaluation criteria. The project activities must be listed chronologically on the Work Schedule and Deliverables Form, along with the project tasks and deliverable within each activity. If the application is approved, the Project Narrative will become the approved scope of work. The Narrative should be concise and is limited to a maximum of two pages.

Work Schedule and Deliverables Form

In an outline format, the Work Schedule and Deliverables form must show the:

- Project activities in the Program Narrative, listed chronologically, along with their supporting project tasks, deliverables and major milestones.
- Duration of the activities and tasks.
- Date each deliverable will be submitted.

¹ Jurisdiction Preparedness Profiles can be obtained from the TDEM Plans Unit at TDEM.PLANS@dps.texas.gov or by contacting your TXDPS/TDEM District Coordinator (DC).

Part Two - Planning Application Requirements and Process, continued

Budget Sheet	The Budget Sheet shall show the total costs to be incurred during the grant performance period. All costs must be reasonable, allocable, and allowable, and work performed prior to October 1, 2015 is not eligible. Applications may not include profit as a line item. The project should be planned without requiring overtime work. If services by a consultant/contractor are expected to be performed, contact should be made with them prior to submitting line item cost estimate.
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Application Due Date	LEPC approved local government applications are due to TDEM by August 28, 2015 . Incomplete applications will not be approved.
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Part Three - Performance Period

OES Approval of Application	<hr/> <p>TDEM will notify the grant recipients, via email, of the approved application and conditional award amount.</p> <hr/>
Reimbursement of Expenditures	<hr/> <p>Planning funds will be disbursed to grant recipients on a reimbursement basis using the Reimbursement Request form included in Appendix B. Reimbursement requests can be submitted no more frequently than monthly to the TDEM Hazardous Materials Section, and no less frequently than the 7th calendar day following the end of each quarter.</p> <hr/>
Revision Requests	<hr/> <p>All changes to the grant recipient's approved scope of work and budget must be submitted to TDEM. Revisions must be requested in writing and approved <i>prior</i> to initiating the revised scope of work or incurring the associated expenditures. These changes can be requested as part of the Quarterly Report process, or at any other time by contacting the Grant Administrator.</p> <p>Failure to submit revision requests and receive approval prior to expenditure could result in a reduction or disallowance of that part of the grant.</p> <hr/>
Quarterly Progress Reports	<hr/> <p>Grant recipients must prepare and submit quarterly progress reports to TDEM for the duration of the performance period, or until all grant activities are completed and the grant is formally closed. The reports must include the status of all activities.</p> <hr/>
Procurement Requirements	<hr/> <p>All grant recipients must follow their own procurement requirements as long as they meet the federal requirements at a minimum. Federal procurement requirements for this grant can be found in:</p> <ul style="list-style-type: none">• OMB Circular A-102• 49 CFR Parts 18.36 and 110.80

**TDEM
Monitoring**

TDEM may perform periodic reviews of the local government's grant performance. These reviews may include, but are not limited to:

- Comparing actual grant activities to those approved
 - Confirming compliance with:
 - Grant Assurances
 - Information provided on the quarterly and/or final grant reports
-

**Record
Retention
Requirements**

Record retention requirements can be found in 49 CFR 18.42. Generally, records must be kept for three years beginning from the end of the project year.

**Accessibility
of Records**

The Department of Transportation, the Comptroller General of the United States, TDEM, or any of their authorized representatives, shall have the right of access to any books, documents, papers, or other records which are pertinent to the grant, in order to make audits, examinations, excerpts, and transcripts. The right of access is not limited to the required retention period but shall last as long as the records are retained. Refer to 49 CFR 18.42.

**Suspension or
Termination**

TDEM may suspend or terminate grant recipient funding, in whole or in part, or other measures may be imposed for any of the following reasons:

- Failing to comply with the requirements or statutory objectives of federal or state law.
- Failing to make satisfactory progress toward the goals or objectives set forth in the grant recipient's application.
- Failing to follow grant agreement requirements or special conditions.
- Proposing or implementing substantial plan changes to the extent that, if originally submitted, the application would not have been selected for funding.
- Failing to submit required reports.
- Filing a false certification in the application or other report or document.

Before taking action, TDEM will provide the grant recipient reasonable notice of intent to impose measures and will make efforts to resolve the problem informally.

Part Four - Grant Closeout Process

Final Grant Report

The grant recipient must notify TDEM when all approved grant activities have been completed and paid for. The notice must be submitted by October 8, 2016 and be in the form of a final Progress Report. The Final Progress Report must be a **cumulative** programmatic and financial document.

Reminder: All work must be completed by 30 September 2016, and the Final Grant Report is due to TDEM no later than **October 8 2016**.

Closeout Review and Notification

TDEM will review the grant recipient's Final Grant Report for compliance with all grant conditions.

Financial Reconciliation of Final Grant Report

If the Final Grant Report indicates that the grant recipient is owed additional funds, then grant recipient must submit a request for reimbursement. Substantiation must be attached.

Audit Requirements

Grant recipients must comply with the audit requirements contained in OMB Circular A-133 and 49 CFR Parts 18.26.

Part Five - Appendices

Appendices The following appendices are included with this Guide:

Appendix	Description
A	Application Forms: <ul style="list-style-type: none">• Application Form• Designation Statement• Grant Project Narrative• Work Schedule and Deliverables Form• Budget Sheet• Grant Assurances
B	Reimbursement Request Form
C	Quarterly Performance Report
D	Abbreviations and Acronyms
E	Proposal Evaluation Criteria

Appendix A - Application Forms

Due August 28, 2015

Application Checklist

1. HMEP Application Coversheet for FY 2016 grant year
2. Designation Statement
3. Project Narrative
4. Work Schedule and Deliverables
5. Budget Sheet
6. Grant Assurances
7. Jurisdiction Preparedness Profile (please contact TDEM Plans Unit at TDEM.PLANS@dps.texas.gov or contact your TXDPS/TDEM District Coordinator (DC) to obtain a copy).

HMEP Application Coversheet for FY 2016 grant year

1. APPLICANT INFORMATION		PLEASE TYPE ALL INFORMATION	
a. Legal Name of LEPC county or city:		Geographic area covered/Project Title:	
b. Name of Grant Manager:		Address: e-mail address:	
Telephone:			
Fax:			
d. Name of person who will administer funds :		Address: e-mail address:	
Telephone:			
Fax:			
e. County or City's Vendor Identification Number:			
f. County or City's Dun and Bradstreet Numbering System (DUNS) Number:			
g. County or City's Congressional District:			
h. Does your County or City have an active account in the System for Awards Management (SAM)? ____ YES ____ NO			
i. Please select when your city or county last receive HMEP Planning Grant Funding (Circle One): <div style="display: flex; justify-content: space-around;"> A. Within the last five years B. Within the last two years </div> <div style="display: flex; justify-content: space-around;"> C. More than five years ago D. Never </div>			
j. What is the current population of your City or County: _____			
<p>If multiple counties or cities are included in this project, please indicate the populations of each jurisdiction involved.</p> <p>*Please Note: The HMEP Planning Grant gives preference to rural and small population jurisdictions</p>			
2. CERTIFICATION			
<p>To the best of my knowledge and belief, all information in this application is true and correct. The document has been duly authorized by the [county judge, mayor, city manager] and a majority vote of the Local Emergency Planning Committee. The County/City of _____ will serve as fiscal agent for the project and comply with all contractual obligations if assistance is provided.</p>			
NAME OF LEPC CHAIR:		SIGNATURE	
TELEPHONE:		DATE:	
FAX:			
NAME OF AUTHORIZED FISCAL AGENT ² :			
TITLE:		SIGNATURE	
TELEPHONE:		DATE:	
FAX:			

¹ This is the county or city fiscal agent that will manage of any and all monies awarded under this grant.

² This cannot be the LEPC Chair or grant manager. This must be a member of the authorized fiscal agent.

Instructions for completing these application forms

Field Name	Description of Information Required
Applicant	The full name of the organization.
Geographic/Project Title	Area covered and brief title of project.
Manager Mailing Address	The address for correspondence and reimbursement checks.
Project Manager, Title, Phone, and e-mail address	The person in the organization who is responsible for the daily implementation of the project.
Certification	Signature of the person in the organization with the ultimate responsibility for the project and who has the legal authority to speak for the applicant.

DESIGNATION STATEMENT

Applicant _____ Date _____

Project Title _____

Mailing Address _____

Project Manager _____ Phone _____

Title _____ E-Mail Address: _____

Financial Officer* _____ Phone _____

Title _____

Total Project Budget: \$ _____ (100%)

HMEP Share: \$ _____ (80%)

Local Share: \$ _____ (20%)

*FINANCIAL OFFICER CANNOT BE THE PROJECT MANAGER

CERTIFICATION

I certify that I have the legal authority to make a commitment to the project on behalf of the applicant and that the project manager indicated above has the responsibility for the daily implementation of the proposed project.

I certify that I am duly authorized to act on behalf of the recipient organization and the recipient agrees with the requirements of the "Offer and Acceptance" clause, and that the award is subject to the applicable provisions of 49 CFR § 110 et seq., 49 CFR Part 18, and of the provisions of TDEM Assistance Agreement Contract.

I certify that the financial manager indicated above has the responsibility for the fiscal management of the grant and has the legal authority to certify all financial status reports, invoices and requests for payments that will be submitted.

I certify that the information in the attach application is true to the best of my knowledge. By submitting this application, I am making a commitment to the proposed project, budget, match share and scope of work (Project Narrative and Work Schedule and Deliverables).

Project Manager (print/signature)

Title

Date

Instructions for completing designation statement

Field Name	Description of Information Required
Applicant	The full name of the organization or person (Authorized Agent).
Date	Date of submittal of application package.
Project Title	A brief title of project.
Mailing Address	The address for correspondence and reimbursement checks.
Project Manager, Title, Phone, and e-mail address	The person in the organization who is responsible for the daily implementation of the project. Must sign and complete the Reimbursement Request Form and Quarterly Performance Report.
Financial Officer, Title and Phone	The person responsible for the fiscal management of the grant. This person must certify all financial status reports, invoices, and requests for payment submitted. The financial officer cannot be the Project Manager and cannot complete Reimbursement Request Forms (no exceptions).
HMEP Funds Requested	The amount of HMEP funds being requested.
Match Contribution	A minimum 20% match to the amount of HMEP funds requested. Can be a soft match.
Certification	Signature of the person in the organization with the ultimate responsibility for the project and who has the legal authority to speak for the applicant.

PROJECT NARRATIVE

(Use additional paper if necessary, **two page maximum**)

Applicant/ Local Government: _____

Project Title: _____

Please refer to Appendix E-Proposal Evaluation Criteria Guide to ensure that all of the necessary information is included in your Project Narrative

WORK SCHEDULE AND DELIVERABLES

Applicant

Project Title

I. Project Activities, Task, and Deliverables

-
-
-
-
-
-
-
-

II. Monthly Progress Schedule

October:	April:
November:	May:
December:	June:
January:	July:
February:	August:
March:	September:

BUDGET SHEET (must be fully completed)

Applicant (local government) _____

Project Title _____

QUESTION 1

	HMEP SHARE	MATCH SHARE	TOTAL COSTS
Personnel			
Fringe Benefits			
Travel			
Supplies			
Other			
Contracts			
TOTAL COSTS			

QUESTION 2

Will the aggregate expenditure of funds by the LEPC, exclusive of Federal Funds, for developing, improving and implement emergency plans under EPCRA be maintained at a level that does not fall below the average level of such expenditures for the two fiscal years prior to the grant project?

Note: No Overtime or Call Backs
No Equipment Purchases
No Software with the exception of CAMEO.

Instruction for completing the budget sheet

Field Name	Description of Information Required
Applicant	The full name of the organization or person.
Project Title	A brief title of project.
Personnel	Includes the salaries and wages calculated by multiplying the number of person-time-periods (months, day, hours) for each applicant employee (whether permanent, seasonal, temporary, etc.) by the appropriate monthly salary, or daily or hourly wage. For example, a typist needed at 33 percent participation (or one third time) for six months will work for two person months. If the typist earns a salary of \$800 per month, the total salary added to the project is: 2 months x \$800 per month = \$1600. No funds may be used to pay overtime.
Fringe Benefits	<p>Fringe Benefits such as vacation, holiday, and sick leave may be included as a part of direct labor or be in the indirect cost pool consistent with established policy. If included as a direct cost, grantees should identify the percentage used (fringe benefit rate) and the basis for its computation; then, apply this to the salary allocations specified under personnel.</p> <p>Applicant should not include any amount for fringe benefits if the benefits are addressed as part of the negotiated indirect cost rate agreement.</p>
Travel	Includes the cost of transportation, subsistence, and other associated costs incurred by applicant personnel that are directly related to the project.
Supplies	<p>Supplies means all tangible personal property other than “equipment” as defined in this document. Costs are incurred by applicant personnel related to the purchase of supplies solely dedicated to the HMEP grant. Requests should identify categories of supplies to be procured (e.g., office supplies, publications, manuals, paper, and pens) for use during proposed activities.</p> <ul style="list-style-type: none"> • Applicants should specifically identify “sensitive” items, such as laptops, global positioning system devices (GPS), thumb drives, and cameras. Associated costs per unit should be provided.
Other	Includes all costs not specially mentioned above. These costs must not be duplicated in other budget items. No funds may be used for the purchase of Equipment, no exceptions.
Contracts	These expenses include the total costs for any subcontractors needed by the applicant to undertake the activities specified in the Scope of Work. The State of Texas has an agreement in place with the Texas Transportation Institute (TTI) as a vender for commodity flow studies and emergency operations plans review projects. If the Applicant utilizes TTI they do not need to create a separate subcontract for their project. If the applicant utilizes a different vendor they will assume full responsibility for the actual subcontracting process, liability, and responsibility for completion of the project as described in the Scope of Work.

Match Share	Match share is the dollar amount to be provided by the applicant during the term of the grant. When estimating costs, the applicant must indicate the total cost for the project, and then subtract the amount eligible for grant funding. The amount left over is the required 20% Match Share. The Match Share must be actual cost to the grant recipient of matching services. Each budget subtotal line item shall show actual dollars spent for the calculated dollar value for the matching services as the Match Share contribution from the grant recipient. The Match Share may be contributed in any or all of the budget line item categories. For example, \$400 worth of personnel services, or a combination of \$200 of personnel services plus \$200 of operating expenses, or a different distribution that totals \$400 would be equally acceptable.
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**Texas Division of Emergency Management
Department of Public Safety**

Grant Assurances for the Hazardous Materials Emergency Preparedness Grant

Name of Applicant: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Telephone Number: (____) _____ Fax Number: (____) _____

E-Mail Address: _____ Cell Phone: _____

As the duly authorized representative of the applicant, I certify that the applicant named above:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the comptroller General of the United States, and if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. Section 4727-4763) relating to prescribed standards for merit systems for programs funded under one of the nineteen statutes or regulations specified in Appendix A of OPM's Standards for Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P. L. 88-352) which prohibits discrimination on the basis of race, color, or national origin; (b) Title IV of the Education Amendments of 1972, as amended (20 U.S.C. Sections 1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. Section 794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. Sections 6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and

Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970,) P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) Sections 523 and 527 of the Public Health Service Act of 1912, (42 U.S.C. 290-dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Acts of 1968 (42 U.S.C. Section 3601 et. seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provision in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

7. Will comply, or has already complied, with the requirements of Title II and III of the Uniformed Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provides for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or Federally assisted programs. These requirements apply to all interest in real property acquired for project purposes regardless of Federal participation in purchase.
8. Will comply with provisions of Hatch Act (5 U.S.C. Sections 1501-1508 and 7324-7328) which limit the political activities of employees whose principle employment activities are funded in whole or in part with Federal funds.
9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. Sections 276a to 276a-7) the Copeland Act (40 U.S.C. Section 276c and 18 U.S.C. Sections 874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. Sections 327-333), regarding labor standards for federally assisted construction subagreements.
10. Will comply, if applicable, with the flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. Sections 1451 et seq.); (f) conformity of Federal actions to State (Clear Air) Implementation Plans under Section 176 (c) of the Clear Air Act of 1955, as amended (42 U.S.C. Section et seq.); (g) protection underground sources of drinking water under Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended, (P.L. 93-205).
12. Will comply, if applicable, with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§ 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.

13. Will assist the awarding agency in assuring compliance, if applicable, with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470), EO 11593 (identification and preservation of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. 469a-1 et seq).
14. Will comply with P.L 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. 2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. Sections 4801 et seq.) which prohibits the use of lead based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act of 1984.
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations and policies governing this program.
19. It will comply with the minimum wage and maximum hours provisions of the Federal Fair Labor Standards Act (29 U.S.C. 201), as they apply to employees of institutions of higher education, hospitals, and other non-profit organizations.

The undersigned represents that he/she is authorized by the above named applicant to enter into this agreement for and on behalf of the said applicant.

Signature of Project Manager: _____

Printed Name Project Manager: _____

Title: _____ Date: _____

Appendix B – Reimbursement Request Form

Request for reimbursement are due seven (7) calendar days after the end of each quarter.

Check List:

- 1. Quarterly Performance Report**
- 2. Reimbursement Request Form**
- 3. Total Expenditures 100% (the total monies you are claiming for this billing period) include a copy of your receipts. You keep the original receipts.**
- 4. On the Reimbursement Request Form – Year to Date Totals (add each previous quarter to determine the total)**

If you have any questions, contact Section Administrator Ben Patterson at 512-424-2445 or Ben.Patterson@dps.texas.gov.

Submit Reimbursement Requests:

Reimbursement Requests to are to be sent to the following location:

Texas Department of Public Safety
Division of Emergency Management
Attn: Ben Patterson
1033 La Posada Dr.
Suite 250
Austin, TX 78752
or electronically to: EMDTechHaz@dps.texas.gov

**TDEM - Hazardous Materials Emergency Preparedness Grant
Number (FY 16):**

**Reimbursement Request Form: MUST INCLUDE ORIGINAL SIGNATURE ON THIS FORM,
AND A COPY OF THE RECEIPTS**

Mail or Email Reimbursement Request to:

Grant Recipient: _____

Contract # _____

Texas Department of Public Safety
Division of Emergency Management
Attn: Ben Patterson
1033 La Posada Dr.
Suite 250
Austin, TX 78752
or electronically to: EMDTechHaz@dps.texas.gov

BILLING PERIOD: From _____ to _____

Total Expenditures

(100% for this billing period)

(Year to date totals)

HMEP Share

(80% of total costs)

Local Match

(20% of total costs)

**NOTE: The amount of Total HMEP Share and Local Match Quarter: 1, 2, 3, 4 (circle one)
should equal total cost Expenditures for billing period.**

Under penalty of perjury, I certify that:

- I am the duly authorized officer of the claimant herein
- This claim is in all respects true, correct, and all expenditures were made in accordance with applicable laws, rules, regulations and grant conditions and assurances
- This claim is for costs incurred within the Grant Performance Period

Authorized Agent (per the Designation Statement)

Printed Name

Phone No.

Title

E-Mail Address

Mailing Address

Fax No.

City, State, Zip Code

Signature Date

Instruction Sheet for Reimbursement (must include copies of receipts)

Grant Recipient	The grant recipient is the entity identified in the original grant application. Do not identify any sub-departments or offices as the grant recipient.
Contract #	This is the grant recipient's identification number and the same as the contract number.
Address Changes	Indicate a change in address by noting the new address in the area marked "mailing address" at the bottom of the form.
Billing period	Indicate the month and year for the beginning of the period covered and the end of the period covered. See Timelines on page 11.
Total Expenditures	Enter the total amount of your claim for this billing period. Total Expenditures are required with the Quarterly Performance Report and Reimbursement Request Form (100% of the Total Expenditures)
HMEP Share	Enter the total amount of Federal HMEP share of your claim for this billing period (80% or less of the Total Expenditures)
Local Match	Enter the amount your jurisdiction is matching for this billing period (20% or more of the Total Expenditures).
Year to date totals	Second column of three boxes is used to add up Total Expenditures, HMEP Share, and Local Match from the beginning of the project to the present in the respective boxes.
Authorized Agent Information	Fill in all requested information and ensure the form is signed by an Authorized Agent named in the Designation Statement submitted with the original application.
Mail	Mail or email the original to the address identified at the top of the request form.

**Supporting
Documents**

Supporting documents **are required** to be submitted with the Reimbursement Requests. TDEM reserves the right to request documentation at any time. **Grant recipients are reminded to maintain documents that support the expenditures and reimbursement amounts shown on the request.**

Appendix C – Quarterly Performance Report

The Quarterly Performance Report - required for each quarter and must be attached to the Reimbursement Request Form and Total Expenditures. **The payment process will not be completed until TDEM receives the original Quarterly Performance Report, Reimbursement Request Form and a copy the Total Expenditures (the total amount of you are claiming for this billing period).**

Budgetary Criteria: Hazardous Materials Emergency Preparedness (HMEP) Grant Program

Allowable expenses for activities eligible under HMEP grant:

- Salaries and wages
- Printing and reproduction costs.
- Mail and postage cost.
- Equipment- rental only.
- Supplies and training materials.
- Hiring contractors or consultants to perform work eligible under the grant.
- Per Diem and travel expenses.

Non-allowable expenses:

- No funds awarded may be used to pay overtime or call backs.
- No funds awarded may be used for the purchase of equipment, no exceptions.
- No funds may be used to replace or supplant local government funding of existing planning or exercise programs.
- No Software - with the exception of CAMEO.

All expenditures of the grant funds must be in accordance with the provisions and certification of the U.S. Department of Transportation Hazardous Materials Emergency Preparedness Grant (HMEP), 49 CFR and other applicable federal laws, codes and circulars.

**Quarterly Performance Report
FY 16 Hazardous Materials Emergency Preparedness Grant**

Subgrantee name: _____

Performance Period (check one):

- ☐ October-December 2015
☐ January-March 2016
☐ April-June 2016
☐ July-September 2016

Mailing and Emailing Instructions: Please complete the performance report and return it to:

**Texas Department of Public Safety
Division of Emergency Management
Attn: Ben Patterson
1033 La Posada Dr.
Suite 250
Austin, TX 78752
or electronically to:
EMDTechHaz@dps.texas.gov**

Questions regarding completion of this performance report should be directed to the Section Administrator, Ben Patterson at 512-424-2445 or Ben.Patterson@dps.texas.gov

The payment process cannot be completed until TDEM receives a signed Quarterly Performance Report, Reimbursement Request Form and include total expenditures (the total amount of eligible claims for the quarter), if applicable. Also include total match information for the quarter. Please attach supporting documentation as required.

Part I – Authorized Agent Information

Please identify any changes to the Authorized Agents for this grant.

Please identify any changes to your mailing address, if applicable.

Part II – Project Narrative, Activities, and Completion Date

Is the Project Narrative, as described in your agency's original grant application, still accurate?

- ☐ Yes ☐ No

If no, please explain: _____

Are the Project Activities, Tasks and Deliverables, as described in your agency's original grant application, still accurate?

☐ Yes

☐ No

If no, please explain: _____

Please list/describe the Project Activities, Tasks and Deliverables that were completed during this Performance Period. _____

Please list/describe the number of people and total person hours spent on the Project Activities, Tasks and Deliverables that were completed during this Performance Period. _____

What is the anticipated completion date for the project? _____

Please list/describe the Outputs of the Project Activities, Tasks and Deliverables that were completed during this Performance Period. (Outputs: Services, products and activities that your organization offers to its users) _____

Please list/describe the Outcomes (*Changes you are looking to achieve =the differences you aim to make with your serves*) of the Project Activities, Tasks and Deliverables completed during this Performance Period. _____

If the approved project will not be completed by September 30, 2016, please explain: _____

Part III – Financial Summary

Total Amount Awarded to Local Government (grant): \$ _____

Total funds received by the Local Government to-date: \$ _____

Total Expenditures requested to-date: \$ _____

Has your entity requested reimbursement for all grant expenditures to-date?
☐ Yes ☐ No

If no, please explain: _____

Total Match Amount required for grant: \$ _____

What is the value of in-kind activity or funding allocation toward the grant match during the Performance Period? \$ _____

What is the total value of in-kind activity or funding allocation toward the grant match to-date? \$ _____

Please summarize any in-kind activity or funding allocation toward the grant match during the Performance Period: _____

Has your entity documented all in-kind activity or funding allocation toward the grant match during the Performance Period? ☐ Yes ☐ No

If no, please explain: _____

Please summarize planned in-kind activity or funding allocation toward the grant match during the next Performance Period (if applicable): _____

NOTE: Local Governments must fill out a *Reimbursement Request* form to request grant payments. Please refer to the Planning Grant Guide for a Copy of the Reimbursement Request Form and instructions. TDEM recommends that subgrantees request reimbursement once a month, but it must be done at least quarterly. A Reimbursement Request form may be submitted with this Performance Report. **The payment process cannot be completed until TDEM receives an original and signed Quarterly Performance Report, Reimbursement Request Form and any additional supporting documents.**

Appendix D - Abbreviations and Acronyms

TDEM	Texas Division of Emergency Management
CAMEO	Computer-Aided Management of Emergency Operations
CFR	Code of Federal Regulations
DOT	United States Department of Transportation
EPA	Environmental Protection Agency
EPCRA	Emergency Planning and Community Right-to-Know Act of 1986
FFY	Federal Fiscal Year
FOIA	Freedom of Information Act
HMEP	Hazardous Materials Emergency Preparedness
LEPC	Local Emergency Planning Committee
OMB	United States Office of Management and Budget
PHMSA	Pipeline and Hazardous Materials Safety Administration

Appendix E – Proposal Evaluation Criteria Guide

Each proposal will be evaluated separately on its own merits. The maximum points that a proposal can receive are 100 points according to the categories below. The scoring will be somewhat flexible within each major category, depending on the type of project proposed.

Cover Page (5%) – 5 points

- Is the cover page complete?

Project Narrative (40%) – 40 points (8 points per question)

- 1) Problem Statement and Data.
 - Is the potential for transportation related hazardous materials incidents described?
 - Has the applicant stated the specific problem or problems this project will target?
- 2) Goal Statement.
 - Has the applicant stated the major goal(s) of the project?
- 3) Areas & Population Served.
 - Are the areas and population that will benefit from this project described?
- 4) Planned Project Objectives.
 - Is there a detailed description of the project?
 - Is the timetable for the completion of the project reasonable and within the grant period?
 - Has the applicant presented a workable approach to achieving the project goal(s)?
- 5) Measurement & Evaluation.
 - Is project measurement and evaluation addressed?

Documentation (10%) – 10 points (5 points per question)

- 1) HMEP Budget Summary
 - Have grant funds and local match funds been placed in the appropriate Budget Categories?³ Are Budget Categories totaled? Is project funding totaled?
- 2) History and effectiveness
 - Does the proposal show that expenditures will at a minimum equal an average for expenditures for the past two years⁴?
 - Is the proposed project cost effective?

³ LEPC match does not have to be the same budget category as grant funds.

⁴ The two-year average shall not include any federal funds.

Plans Review (15%) – up to 15 points

- Is the Jurisdiction Preparedness Profile included for all of the jurisdictions served by the LEPC⁵ and project, to determine their planning preparedness level.

Advance-Level Plans – 15 points

Intermediate-Level Plans – 10 points

Basic-Level Plans – 5 points

Previous Grants (5%) – 5 points

- LEPCs that have not received an HMEP planning grant within the last two years AND have not conducted a Commodity Flow Study or Emergency Plan Review within the last two years will receive a five-point preference.

Project (25%) – Up to 25 points

- Projects for which the LEPC is applying for grant funding will be reviewed to determine where they are in alignment with TDEM's priorities for the upcoming fiscal year. If the LEPC is applying for more than one project it will be assigned points based on the highest level project.⁶
 - Commodity flow assessment – 25 points
 - Emergency response exercise/drill – 20 points
 - Develop, improve/implement emergency plans – 15 points
 - Assessment regional HazMat team – 10 points
 - Assessment local response capabilities – 10 points
 - Risk Assessment following CFS – 10 points
 - All other eligible projects – 5 points

⁵ Of the LEPC which is applying for the HMEP grant.

⁶ See item 2 "Eligible Projects" for more detailed information on projects.